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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,722	04/16/2004	Tonya Lammers	TONL122469	9946
26389 7590 05/29/2007 CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347			EXAMINER HWANG, VICTOR KENNY	
			ART UNIT 3764	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/825,722

Applicant(s)

LAMMERS, TONYA

Examiner

Victor K. Hwang

Art Unit

3764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 and 26-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 26-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument that the prior art fail to teach or suggest the appendage remaining immobile upon the surface when the appendage is bearing at least a portion of the weight of the user up to a non-perpendicular angle relative to the support surface, or gliding the appendage upon the surface unassisted when the appendage is not bearing the weight of the user and when the appendage is weakened, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

It is not required that the prior art disclose or suggest the properties newly-discovered by an applicant in order for there to be a prima facie case of obviousness. See *In re Dillon*, 919 F.2d 688, 16 USPQ2d 1897, 1905 (Fed. Cir. 1990). Moreover, as long as some motivation or suggestion to combine the references is provided by the prior art taken as a whole, the law does not require that the references be combined for the reasons contemplated by the inventor. See *In re Beattie*, 974 F.2d 1309, 24 USPQ2d 1040 (Fed. Cir. 1992); *In re Kronig*, 539 F.2d 1300, 190 USPQ 425 (CCPA 1976) and *In re Wilder*, 429 F.2d 447, 166 USPQ 545 (CCPA 1970).

The test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what

the combined teachings of the references would have suggested to those of ordinary skill in the art. In re Keller, 642 F. 2d 413, 425, 208 USPQ 871, 881 (CCPA 1981). In this regard, a conclusion of obviousness may be based on common knowledge and common sense of the person of ordinary skill in the art without any specific hint or suggestion in a particular reference. In re Bozek, 416 F. 2d 1385, 1390, 163 USPQ 545, 549 (CCPA 1969).

### *Drawings*

2. The drawings are objected to because in Fig. 3, the reference character "44" and associated lead line do not accurately identify the reduced width portion. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: the recitation in claims 2 and 3 of “unassisted “ gliding of the appendage upon the surface does not have proper antecedent support in the specification; the recitation in claims 11, 18 and 27 of an upper limit of the fineness rating of about 300 denier does not have proper antecedent support in the specification; and the recitation in claims 12 and 19 of a range of the fineness rating between about 150 denier and about 250 denier does not have proper antecedent support in the specification.

***Claim Rejections - 35 USC § 112***

4. Claims 1-24 and 26-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claims 1, 9, 17 and 24, the recitation that the predetermined coefficient of friction or predetermined fineness rating is “further sufficient to permit the appendage to remain immobile upon the surface when the appendage is bearing at least a portion of the weight of the user up to a non-perpendicular angle relative to a support surface” is indefinite because it is unclear what applicant is trying to claim, in particular, the use of the phrase “up to” makes the recitation indefinite. Presumably, the appendage can remain immobile at an angle other than perpendicular to the support surface.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by *Chism et al.* (US Pat. 5,582,579). *Chism et al.* discloses an appendage cover 30 for gliding upon a surface, the appendage cover comprising a body portion 11 for covering at least a portion of the appendage. The body portion includes a grip surface 20 positioned to engage the appendage and hold the body portion stationary relative to the appendage. A glide surface 29 is positioned to slide upon the surface during movement of the user. The glide surface has a predetermined coefficient of friction sufficient to enable the appendage to glide upon the surface. The appendage can glide upon the surface when the appendage is resting upon the surface. The appendage can also glide upon the surface when the appendage is not bearing the weight of the user. Furthermore, the coefficient of friction is sufficient to permit the appendage to remain immobile upon the surface when the appendage is bearing at least a portion of the weight of the user at a non-perpendicular angle relative to the support surface. The glide surface 29 can be provided in the form of a slick coating of plastic, nylon material, or the like (col. 6, lines 4-11).

The appendage is shown in Figs. 3 and 4 gliding upon the surface unassisted and not bearing the weight of the user. The strength of the appendage is not disclosed, but could be used

when the appendage is weakened more than about 50 % or weakened more than about 75 %, such a limitation being an intended use of the cover by a particular user. The predetermined coefficient of friction is also sufficient to permit the appendage to bear the weight of the user at a non-perpendicular angle up to multiple angles relative to the support surface before slipping out from under the user. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

The inner sole 26 of the grip surface 20 may comprise fleece, terry cloth or similar material for comfort and moisture absorption. The body portion 11 can also be made of canvas, cotton, nylon, plastic or a combination of suitable materials. The heel portion 14 is constructed of flexible material and provided with the slide and/or wear surface 29. The user can slide the heel along the surface without assistance or use of the flexion straps 40,70.

7. Claims 1-5, 9-13, 17-20, 24 and 26-29, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by *Colman* (US Pat. 3,084,459). *Colman* discloses an appendage cover for a shoe or foot comprising a body portion 10 for covering at least a portion of the shoe/foot. The body portion includes a grip surface (interior of upper portion 12) positioned to engage the shoe/foot and hold the body portion stationary relative to the foot and a glide surface 11 formed of nylon fabric material. The nylon fabric of the glider surface has a fineness of between 200 denier and 300 denier. This fineness rating is less than about 400 denier, is between about 100 and about 300 denier, and is between about 150 denier and about

250 denier. Dacron® fiber may also be used. Since the materials and fineness rating disclosed by *Colman* are the same as those disclosed and claimed in the instant application, the glide surface would inherently have the same gliding properties described in the claims, including a predetermined coefficient of friction. The higher the fineness rating, the more slippage of the gliding surface on a hard surface, and above 300 denier, the slippage characteristics becomes unsafe. Therefore, *Colman* is teaching about the same range of fineness rating for use in a foot or shoe covering.

The strength of the appendage is not disclosed, but could be used when the appendage is weakened more than about 50 % or weakened more than about 75 %, such a limitation is dependent upon a particular user and their use of the device. The predetermined coefficient of friction and fineness rating are also sufficient to permit the appendage to bear the weight of the user at a non-perpendicular angle up to multiple angles relative to the support surface before slipping out from under the user. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

8. Claims 1-5, 7, 17, 22, 24 and 28, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by *Edwards* (US Pat. 6,981,294 B2). *Edwards* discloses a device 10 for gliding upon a surface and comprises a body portion 11 for covering at least a portion of a user's foot. The body portion includes a grip surface 12 positioned to engage the user's foot and hold the body stationary relative to the foot. The grip surface is also provided with a non-slip surface



in the form of a foam pad 26. Other non-skid surfaces may be substituted. A pair of straps 16,17 couples the body portion to the user's foot. The body portion further includes a glide surface 13 positioned to slide upon the surface. The glide surface has a predetermined coefficient of friction to enable the foot to slide upon the surface and is made of a slippery flexible plastic, such as Teflon material. The body portion is capable of receiving a user's shoe and may also be incorporated into a shoe.

The strength of the appendage is not disclosed, but could be used when the appendage is weakened more than about 50 % or weakened more than about 75 %, such a limitation is dependent upon a particular user and their use of the device. The predetermined coefficient of friction is also sufficient to permit the appendage to bear the weight of the user at a non-perpendicular angle up to multiple angles relative to the support surface before slipping out from under the user. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

9. Claims 1-5, 17, 24 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by *Phillips* (US Pat. 6,984,195 B1). *Phillips* discloses an appendage cover (Fig. 3) comprising a body portion 31,33 for covering at least a portion of the appendage. The body portion includes a grip surface (interior surface of shoe or knee pad, or the adhesive) positioned to engage and hold the body portion or shoe stationary relative to the appendage. The body portion further includes a glide surface 32,34 positioned to slide upon a surface during movement of the user. The glide

surface has a predetermined coefficient of friction sufficient to enable the appendage to glide upon the surface when the appendage is resting upon the surface and not bearing the weight of the user. The glide surface can be made of nylon, Dacron, Texlon, sailcloth or polyester resin material.

The strength of the appendage is not disclosed, but could be used when the appendage is weakened more than about 50 % or weakened more than about 75 %, such a limitation is dependent upon a particular user and their use of the device. The predetermined coefficient of friction is also sufficient to permit the appendage to bear the weight of the user at a non-perpendicular angle up to multiple angles relative to the support surface before slipping out from under the user. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 8 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Edwards* (US Pat. 6,981,294). *Edwards* has been discussed above, and such discussion is incorporated herein. *Edwards* discloses the invention as claimed except for the grip surface formed from

neoprene rubber material. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use neoprene rubber material for the foam pad 26 of *Edwards*, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

12. Claims 6 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Phillips* (US Pat. 6,984,195 B1) in view of *Jarrett* (US Pat. 1,748,607). *Phillips* has been discussed above, and such discussion is incorporated herein. *Phillips* discloses the invention as claimed except for the body portion having a tongue that folds up from a front of the user's foot over a top of the foot.

*Jarrett* discloses a foot covering comprising a body portion having a tongue (see Figs. 1 and 2) that folds up from a front of the user's foot over a top of the foot. The foot covering is formed as a sheet to be wrapped about the foot of a user. It is inexpensive and discardable after it has served its purpose.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the foot covering of *Phillips* in the form disclosed by *Jarrett*, so that the foot covering can be inexpensive and discarded after its use.

13. Claims 1-7, 9-15, 17-22 and 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Hassel* (US Pat. 1,104,357) in view of *Colman* (US Pat. 3,084,459). *Hassel* discloses an appendage cover 5 comprising a body portion adapted to cover a foot of the user.

The body portion has a tongue 10 that folds up from the front of the user's foot over the top of the foot. The body portion includes a grip surface 15 positioned to engage the foot and hold the body portion stationary relative to the foot. The grip surface 15 may comprise wool or any suitable lining that provides warmth and comfort. The body portion has a bottom surface 6 that forms the sole of the appendage cover. The body portion further includes a plurality of straps 7,11 for coupling the body portion to the foot of the user. The body portion may be made of any suitable flexible material and be provided with a suitable lining (page 2, lines 46-58). The body portion is considered to be capable of covering at least a portion of a shoe donned by the foot of a user.

*Hassel* does not disclose that the bottom surface is a glide surface formed of a fabric of a predetermined fineness rating (claim 9) or having a predetermined coefficient of friction (claims 1, 17 and 24) sufficient to enable the foot appendage to glide upon the surface when the appendage is resting upon the surface and further sufficient to permit the appendage to remain immobile upon the surface when bearing at least a portion of the weight of the user up to a non-perpendicular angle relative to the support surface; the fineness rating less than about 400 denier (claims 10, 26 and 29); the fineness rating is between about 100 denier and about 300 denier (claims 11, 18 and 27); the fineness rating is between about 150 denier and about 250 denier (claims 12 and 19); the glide surface formed from a nylon (claim 5) or nylon fabric (claims 13 and 20); the predetermined coefficient of friction sufficient to permit a user to glide the appendage upon the surface unassisted when the appendage is not bearing the weight of the user and when the appendage is weakened more than about 50% (claim 2) or more than about 75% (claim 3); and the predetermined coefficient of friction is sufficient to permit the appendage to

bear the weight of the user at a non-perpendicular angle up to multiple angles relative to the support surface before slipping out from under the user to facilitate the user at least partially supporting their weight during a transfer operation (claim 4).

*Colman* has been discussed above, and such discussion is incorporated herein. *Colman* discloses use of a fabric in the class of fibers including nylon and Dacron. The fabric is lint-free and has sufficient strength and durability for use in the sole portion 11 and upper portion 12 of shoe cover. The fabric used for the sole portion 11 has a fineness rating of between 200 and 300 denier with reasonable non-slipage characteristics on hard surfaces (col. 2, lines 43-45), which is understood to also mean that there are inherent slipage characteristics associated with this fabric material. The upper portion 12 of the shoe cover is constructed of a fabric having a lower fineness rating in the range of 50 denier to 100 denier. A lower fineness rating results in a higher coefficient of friction, as deduced from the recitation that if the diameter exceeds about 300 denier, the non-slipage characteristics have been found to be lacking or at an unreasonably unsafe level (col. 2, lines 45-48). The fabric inherently has a predetermined coefficient of friction.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the body portion of *Hassel* with the fabric disclosed by *Colman*, since *Colman* teaches that the nylon or Dacron fabric sufficient strength and durability for use in the sole or upper portions of a shoe covering and since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

With regard to use when the appendage being weakened more than about 50% or weakened more than about 75%, such a limitation is dependent upon a particular user and their use of the device. The predetermined coefficient of friction is also sufficient to permit the appendage to bear the weight of the user at a non-perpendicular angle up to multiple angles relative to the support surface before slipping out from under the user. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987). The appendage cover, as modified, is capable of all of the disclosed uses under the conditions described.

14. Claims 8, 16 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Hassel* (US Pat. 1,104,357) as modified by *Colman* (US Pat. 3,084,459) as applied to claims 1, 9 and 17 above, and further in view of *Richardson* (US Pat. 6,044,497). *Hassel* as modified by *Colman* discloses the invention as claimed except for the grip surface formed from neoprene rubber. *Hassel* has disclosed that the grip surface 15 may comprise wool or any suitable lining that provides warmth and comfort (page 2, lines 48-52).

*Richardson* discloses that neoprene rubber material as footwear provides warmth and cushioning for a user's feet. The material traps heat, is flexible and does not slip off a user's foot during use.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the footwear of *Hassel* as modified by *Colman* with a neoprene rubber lining, since *Richardson* discloses that neoprene rubber is a material used in footwear to

provide warmth and comfort, and thus would be an equivalent substitute for wool material disclosed by *Hassel*. Furthermore, it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

### *Conclusion*

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

*Wrucke* (US Pat. 4,444,389), *Kallassy* (US Pat. 4,729,370), *Dowdy et al.* (US Pat. 5,222,313), *Koblick* (US Pat. 5,352,165), *Pao* (US Pat. 6,122,793), *Lammers* (US Pat. D455,836 S), *Sleezer* (US Pat. 6,446,300 B1), *Branson* (US Pat. 6,908,415 B2), *Mylrea et al.* (US Pat. App. Pub. No. 2005/0245372 A1), *Shaw* (US Pat. 6,969,290 B2), *Kane* (US Pat. App. Pub. No. 2006/0101667 A1) and *Virfollet* (FR 2,598,894) disclose appendage covers having properties and elements relevant to the claimed invention.

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor K. Hwang whose telephone number is (571) 272-4976. The examiner can normally be reached Monday through Friday from 7:30 AM to 4:00 PM Eastern time.

The facsimile number for submitting papers directly to the examiner for informal correspondence is (571) 273-4976. The facsimile number for submitting all formal correspondence is (571) 273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cary O'Connor can be reached on (571) 272-4715.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Cary E. O'Connor  
Primary Examiner

  
Victor K. Hwang  
May 15, 2007